

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

**STEPHEN S. DREW, individually and on
behalf of proposed class,**

Plaintiff,

v.

Civil Action No.: 3:12-cv-9022

**ENERGY FUTURE HOLDINGS CORPORATION,
and LUMINANT MINING COMPANY, LLC,**

Defendants.

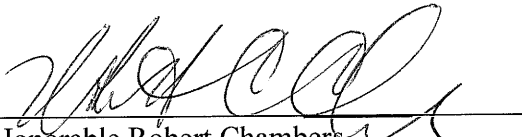
ORDER

Pending before this Court is the parties' Joint Motion for Extension of Time to File Plaintiff's Opposition to Defendants' Motion to Dismiss for Lack of Jurisdiction, or, in the Alternative, Motion to Transfer Venue, or, in the Alternative, Motion to Dismiss for Failure to State a Claim. This Court, having considered the Joint Motion, and the representation of counsel that the parties request this additional time so they can attempt to negotiate a settlement, and for good cause shown:

It is hereby **ORDERED** that the Joint Motion is **GRANTED**. The deadline for Plaintiff to submit his Opposition to Defendants' Motion to Dismiss is extended to April 19, 2013.

The Clerk is directed to send copies of this order to all counsel of record.

ENTERED: this 5 day of April, 2013.



The Honorable Robert Chambers
United States District Court, S.D. W.Va.

Prepared by:

/s/ John W. Barrett
John W. Barrett
Jonathan R. Marshall
BAILEY & GLASSER, LLP
209 Capitol Street
Charleston, West Virginia 25301
(304) 345-6555
(304) 342-1110 *facsimile*

Kristi Cahoon Kelly
SURVOVELL ISAACS PETERSEN & LEVY
4010 University Drive, Second Floor
Fairfax, VA 22030
(703) 277-0774
(703) 591-9285 *facsimile*
kkelly@siplfirm.com

Matthew J. Erausquin
CONSUMER LITIGATION ASSOCIATES
1800 Diagonal Road, Suite 600
Alexandria, VA 22314
(703) 273-7770
888-892-3512 *facsimile*
matt@clalegal.com

Attorneys for Plaintiff Stephen S. Drew

Approved by:

s/ Ann Marie Painter
Erin Elizabeth Magee
JACKSON KELLY PLLC
500 Lee Street East
P.O. Box 553
Charleston, WV 25322
(304) 340-1000 Telephone
(304) 340-1051 Fax
emagee@jacksonkellypllc.com

Ann Marie Painter (pro hac vice)
Elizabeth M. Bedell (pro hac vice)
MORGAN LEWIS & BOCKIUS LLP
1717 Main Street, Suite 3200
Dallas, Texas 75201
(214) 466-4000 Telephone
(214) 466-4001 Fax
annmarie.painter@morganlewis.com
beth.bedell@morganlewis.com

Gregory T. Parks (pro hac vice)
Ezra Dodd Church (pro hac vice)
MORGAN LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, Pennsylvania 19103
(215) 963-5000 Telephone
(215) 963-5001 Fax
gparks@morganlewis.com
echurch@morganlewis.com

*Counsel for Defendants, Energy Future Holdings
Corp. and Luminant Mining Company, LLC*